

REMARKS

This application is a continuation of Application Serial No. 09/930,509 ("the Parent Application"). The claims of the Parent Application were rejected in an Office Action mailed July 15, 2003, in view of US Patent 5,318,541 to Viera et al. ("Viera") and in view of EP 0587 984 A1 to Braun ("Braun") in combination with US Patent 6,213,375 to Rybicki ("Rybicki") and US Patent 4,381,777 to Garnier ("Garnier"). As discussed below, the claims currently pending in the instant application are believed patentable over the cited references.

The instant invention is directed to a guidewire introducer that permits the caregiver to directly control the advance of the guidewire, while limiting inadvertent interference with the movement of the guidewire or unintentional slipping of the guidewire. A roller is mounted on a body member. The guidewire passes through the body member and over the roller. The advancer includes structures that permit ready advancement of the guidewire under precise control of the clinician, while maintaining the guidewire gently in position when not being advanced.

Looking specifically at claim 1, a body member defines a proximal passage and a distal passage (both passages are adapted to receive the guidewire). The passages are out of alignment such that the guidewire is therefore deflected and held gently in place by the body member. The top of a roller wheel is aligned with or slightly above the line connecting the distal passage and the proximal passage. This structure reduces the tendency of the guidewire to drift out of the body member during shipping, handling or use while still permitting ready access to the guidewire by the clinician's thumb. Claim 11 indicates, *inter alia*, that the top of the roller wheel is exposed at the top of the body member, extending above the line connecting the distal passage and the proximal passage and the guidewire is disposed along the top portion of the roller wheel. This ensures consistent access to the wheel and wire by the clinician's thumb. Claim 15 indicates, *inter alia*, that a distal end of the proximal passage is

higher than a proximal end of the distal passage. This results in an intuitive device.

These features are not taught or suggested by the cited references. While Viera discloses a device intended to exert forces on a guidewire and a catheter during insertion of the catheter, there is no "misalignment" of passages. Indeed, the guidewire is contained completely within the structure and is not accessible by the clinician's thumb. Braun discloses what is apparently some sort of advancer but it does not depict roller wheels. Rybicki does disclose a roller wheel, but does not teach misaligned passages. Consequently, none of these references reach the claimed invention.

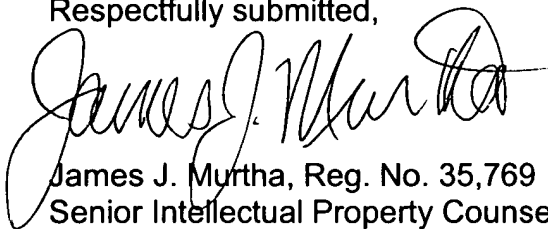
There is no teaching or suggestion to combine the references. Rybicki is directed to a manually operated welding wire feeder. This is simply not relevant art. There is no reason to believe (or evidence of record) to indicate that one seeking a solution related to the advancement of a guidewire in a medical device (a very delicate procedure) would be disposed to look to the field of gas tungsten arc welding. Even if Rybicki were relevant, there is no suggestion to misalign any passages. Further, there is no suggestion to import the structure of Rybicki into any guidewire introducer device. It is noted that the depiction in Rybicki of the technique employed to advance the guidewire is quite dissimilar to that used to advance guidewires. Consequently, even if one skilled in the art were to review Rybicki in an effort to solve the problems inherent in a device like Braun, one would not be disposed to adopt its teachings, and modify them to operate in the context of a guidewire introducer.

Even if one were to incorporate the roller wheel of Rybicki into a guidewire introducer such as Braun, there is no teaching or suggestion that the roller wheel should be positioned such that it extends above a line extending between the proximal passage and the distal passage. This arrangement ensures that the wire is held between the passages and the wheel. Neither this combination of structures, nor the beneficial performance arising therefrom is taught or suggested by the prior art relied upon by the Examiner in rejecting the claims of the Parent Application.

CONCLUSION

The claims of the instant application are believed patentable over the art of record. Reconsideration of the outstanding rejections is therefore respectfully requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James J. Murtha", is written over the typed name and title.

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